UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

| In re: | § | |
|-----------------------------|-----|--------------------------|
| | § | |
| DAVID GORDON WALLACE, JR., | § | CASE NO. 15-31594 |
| Debtor. | § | |
| | § | (CHAPTER 7) |
| | § | |
| ZT WEALTH DEVELOPMENT, L.P. | _ § | |
| Plaintiff, | § | |
| , | § | Adversary No. 15-03242 |
| v. | § | |
| | § | |
| DAVID GORDON WALLACE, JR., | § | |
| Defendant. | § | |
| | § | |
| | § | |
| | § | |

WITNESS AND EXHIBIT LIST

[Relates to Dkt. No. 13]

| Judge: | Judge Jeff Bohm |
|-----------------------|---|
| Hearing Date: | Thursday, March 10, 2016 |
| Hearing Time: | 9:30 a.m. (CT) |
| Party's Name: | Rodney D. Tow, Chapter 7 Trustee |
| Attorney's Name: | Christopher R. Murray and William Hotze |
| Attorney's Phone: | (713) 333-5100 |
| Nature of Proceeding: | Chapter 7 Trustee's Motion to Intervene [Dkt. 13] |

Diamond McCarthy LLP ("<u>Diamond McCarthy</u>"), general counsel to Rodney D. Tow, the Chapter 7 Trustee ("<u>Trustee</u>") of David Gordon Wallace, Jr. (the "<u>Debtor</u>"), in the above-captioned chapter 7 case (the "<u>Bankruptcy Case</u>"), hereby submits this witness and exhibit list in connection with the hearing to be held on Thursday, March 10, 2016 at 9:30 A.M. (the "<u>Hearing</u>") on the Chapter 7 Trustee's Motion to Intervene [Dkt. No. 13] (the "<u>Motion</u>").

WITNESSES

The Trustee may call any of the following witnesses at the Hearing, whether in person or by proffer:

- 1. Rodney D. Tow
- 2. Any witnesses called or designated by any other party; and
- 3. Any witnesses necessary to rebut the testimony of any witnesses called or designated by any other parties.

EXHIBITS

Diamond McCarthy may offer for admission into evidence any of the following exhibits at the hearing:

| Exhibit | Description | OFF | OBJ | ADM | DISP |
|---------|--|-----|-----|-----|------|
| A | Plaintiff-Intervenor's Original Complaint [Dkt No. 13 Exhibit A] | | | | |

The Trustee reserves the right to use any exhibits presented by any other party and to ask the Court to take judicial notice of any document. The Trustee reserves the right to supplement or amend this witness and exhibit list at any time prior to the Hearing.

[Remainder of page left intentionally blank]

Dated: March 8, 2016

Respectfully submitted,

DIAMOND MCCARTHY LLP

By: <u>/s/ William Hotze</u>

Christopher R. Murray TBA No. 24081057

cmurray@diamondmccarthy.com

William Hotze

TBA No. 24087754

whotze@diamondmccarthy.com 909 Fannin Street, Suite 1500

Houston, TX 77010 Tel. 713-333-5100

Fax. 713-333-5199

Counsel to Chapter 7 Trustee Rodney D. Tow